

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA REDMAN,

Defendant.

CASE NO. CR93-322Z
CR04-554Z
CR04-132Z

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on December 14, 2005. The United States was represented by Lawrence Lincoln. The defendant was represented by Walter Palmer. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Conspiracy to Aid and Assist Escape and two counts Bank Robbery on or about October 29, 1993, September 11, 1995, and May 20, 1996. The Hon. Thomas S. Zilly of this court sentenced Defendant to 18 months, 78, and 100 months of confinement, followed by a combined nine years of supervised release.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

DEFENDANT'S ADMISSION

USPO Monique Neal in her report dated December 7, 2005, alleged that Defendant violated the conditions of supervised release in three respects:

- (1) Failing to participate in treatment as directed, in violation of the special condition that he participate in a program for the treatment of narcotic addiction or drug dependency.
- (2) Using opiates and marijuana, on or before December 6, 2005, in violation of standard condition number 7.
- (3) Failing to successfully complete placement at a comprehensive sanction center by being terminated from the program, in violation of the special condition that he participate in the program for 120 days.

At an initial hearing, I advised the defendant of these charges and of her/his constitutional rights. At today's hearing Defendant admitted to violations numbered one through three, waived any hearing as to whether it occurred, and, consented to having the matter set for a disposition hearing before the Hon. Thomas S. Zilly.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of his supervised release as alleged and set the matter for a disposition hearing.

Defendant has been detained pending a final determination by the court.

DATED this 15th day of December, 2005.



MONICA J. BENTON
United States Magistrate Judge

cc:	Sentencing Judge	:	Hon. Thomas S. Zilly
	Assistant U.S. Attorney	:	Lawrence Lincoln
	Defense Attorney	:	Walter Palmer
	U. S. Probation Officer	:	Monique Neal